



PCT #9
DT14 PCT/PTO 08 AUG 2003

PATENT

Attorney Docket No.: SALK2370-2
(088802-5455)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Noel et al.

Application No.: 10/031,918

Filing Date: January 22, 2002

For: METHODS AND COMPOSITIONS FOR
DETERMINING ENZYMATIC ACTIVITY

Group Art Unit: Unknown

Examiner: Unknown

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this paper is being mailed by first class mail to the United States Patent and Trademark Office, Washington, D.C., on the date below.

Stephen E. Reiter

Name of person mailing paper

Stephen E. Reiter August 6, 2003

Signature

Date

Mail Stop Sequence
(ATTN: PCT LEGAL OFFICE)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

Pursuant to a telephonic status check of this case with the PCT Legal Office on August 6, 2003, submitted herewith are true copies of the following previously submitted items:

1) Response To Notification of Defective Response mailed previously on February 21, 2003 (2 pgs.).

2) A copy of the Notification of Defective Response mailed January 22, 2003 (3 pgs.).

3) A copy of the postcard mailed with the response showing receipt by the OIPE on February 26, 2003 (1 pg.).

Application No.: 10/031,918
Filing Date: January 22, 2002
Page 2 of 2

Attorney Docket No.: SALK2370-2
(088802-5455)

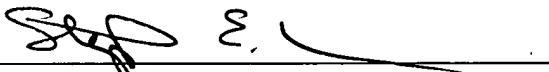
4) A copy of the substitute computer readable form (CRF) of the Sequence Listing mailed previously on February 21, 2003 (1 disk).

The above-referenced items are being resubmitted per request of the PCT Legal Office on August 6, 2003, after a telephonic status check of this case.

In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: August 6, 2003



Stephen E. Reiter
Attorney for Applicant
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Facsimile: (858) 792-6773

FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE
P.O. Box 80278
San Diego, CA 92138-0278



Title: METHODS AND COMPOSITIONS FOR DETERMINING
ENZYMATIC ACTIVITY

Inventor(s): Noel et al.

Dkt. No. SALK2370-2

(088802-5455)

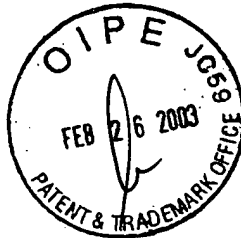
Appl. No.: 10/031,918

SER (2/21/2003)

- Response to Notification of Defective Response (2 pgs.);
- Copy of Notification of Defective Response (3 pgs.);
- Substitute computer readable form (CRF) of the Sequence Listing (1 disk).

Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing this card.



Respectfully,
Foley & Lardner



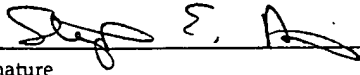
PATENT
Attorney Docket No. SALK2370-2
(088802-5455)

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Date of Deposit: February 21, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Stephen E. Reiter
Printed Name


Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Noel et al.

Serial No.: 10/031,918

Filing Date: January 22, 2002

For: METHODS AND COMPOSITIONS FOR
DETERMINING ENZYMATIC ACTIVITY

Examiner: Unknown

Group Art Unit: Unknown

COPY

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Box Sequence
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Enclosed please find the following:

- [X] Copy of Notification of Defective Response (3 pgs.);
- [X] Substitute computer readable form (CRF) of the Sequence Listing (with identical content to disk originally submitted on 9/19/2002.
- [X] Return receipt postcard.

In re Application of Noel et al. Application No. 10/031,918 Page 2	PATENT Attorney Docket No. SALK2370-2 (088802-5455)
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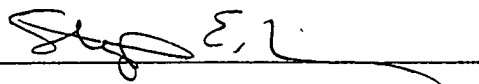
No fee is deemed necessary in connection with this paper. However, if any fee is required, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 50-0872.

COPY

Respectfully submitted,

Date: February 21, 2003

By



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Stephen E. Reiter
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UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 27 2003

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 FOLEY & LARDNER

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,918	Joseph P. NOEL	SALK2370-2

Stephen E Reiter
 Foley & Lardner
 P O Box 80278
 San Diego, CA 92138-6700



INTERNATIONAL APPLICATION NO.	
PCT/US00/20674	
I.A. FILING DATE	PRIORITY DATE
07/27/2000	07/27/1999

CONFIRMATION NO. 1639
 371 FORMALITIES LETTER



OC000000009406277

Date Mailed: 01/22/2003

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

Applicant's response filed 09/24/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/29/2002 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items MUST be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
 - APPLICANT MUST PROVIDE:

Due 2-22-03
 DOCKETED
 JAN 28 2003
 888812-5455

- An initial [redacted] substitute computer readable form (CRF) of the [redacted] Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

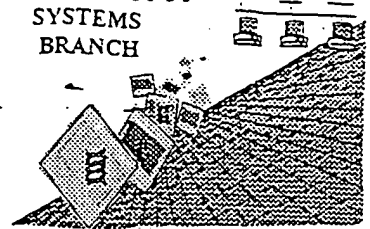
U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,918	PCT/US00/20674	SALK2370-2

FORM PCT/DO/EO/916 (371 Formalities Notice)

Pct/10

CRF Problem Report

SYSTEMS
BRANCH



The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10/031,918
Filing Date: 7/27/2001
Date Processed by STIC: 12/20/2002

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

melted

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)
☐ Blank (no files on CRF) (see attached)
☐ Empty file (filename present, but no bytes in file) (see attached)
☐ Virus-infected. Virus name: _____ The STIC will not process the CRF.
☐ Not saved in ASCII text
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing.
☐ Did not contain a Sequence Listing. (see attached sample)
☐ Other: _____

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.
SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

